

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JUAN GALAN, )  
Petitioner ) Civil Action No. 05-257J  
vs. )  
GEORGE PATRICK, and THE DISTRICT )  
ATTORNEY OF LEBANON COUNTY, and )  
THE ATTORNEY GENERAL OF THE )  
COMMONWEALTH OF PENNSYLVANIA, )  
Respondents. )  
Judge Kim R. Gibson/  
Magistrate Judge Lisa Pupo Lenihan

**MEMORANDUM ORDER**

The above-captioned habeas petition was received by the Clerk of Court on May 12, 2005, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's Report and Recommendation (Doc. No. 2), filed on January 9, 2006, recommended that the petition be dismissed due to Petitioner's failure to prosecute the case. Service was made on the Petitioner at SCI Houtzdale, P.O. Box 1000, Houtzdale, PA 16698-1000. Petitioner was informed that in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrates, he had ten (10) days to file any objections. No objections were filed. After review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 8<sup>th</sup> day of March, 2006;

**IT IS HEREBY ORDERED** that the Petition for Writ of Habeas Corpus  
is **DISMISSED**.

**IT IS FURTHER ORDERED** that a certificate of appealability is  
**DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation  
(Doc. No. 2), filed on January 9, 2006, by Magistrate Judge Lenihan, is adopted as the opinion of  
the court.



The Honorable Kim R. Gibson  
United States District Court Judge

cc: Lisa Pupo Lenihan  
UNITED STATES MAGISTRATE JUDGE

Juan Galan  
FB-7809  
SCI Houtzdale  
P.O. Box 1000  
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